

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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FRANK CARABALLO,

Plaintiff,  
-against-

21 CIVIL 10476 (PMH)

**JUDGMENT**

WARDEN PLILER, et al.,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated May 15, 2023, the Court has GRANTED Defendants' motion to dismiss Plaintiff's Complaint with prejudice, as any amendment would be futile. See Reed v. Friedman Mgt. Corp., 541 F. Appx 40, 41 (2d Cir. 2013) ("leave to amend is not necessary when it would be futile"); accordingly, the case is closed.

**Dated:** New York, New York

May 18, 2023

**RUBY J. KRAJICK**

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**Clerk of Court**

BY:

*K. mango*

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**Deputy Clerk**